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Easley the chunker

FOR SOMEONE WHO formerly served as the state's attorney general and thereby should know better, Gov. Mike Easley sure seems to be treating public records, and by extension the state's Public Records Law, mightily cavalierly.

Of course, that's not altogether unusual from public officials, especially during times when they're taking some heat and records might serve to turn up the thermostat.

Certainly, Gov. Easley has been under fire recently concerning the collapse of the state's mental health care reform effort, and rightly so inasmuch as the disaster of reform has transpired on his watch. The Governor lately has maintained his administration more or less opposed the reform plan all along, but that dog won't hunt. The public record belies that claim. In his defense, however, Easley is right in his observation that there's enough blame to go around in this thing.

But blame for playing fast and loose with the Public Records Law ends right at Easley's door. For it was the Governor himself who admitted to reporters that after reading a letter he recently received from former Health & Human Services Secretary Carmen Hooker Odom regarding why she wasn't talking to the press about the mental health reform flap, "I chunked it."

That admission came on the heels of his sudden firing of Debbie Crane, former chief spokesperson for DHHS, who later claimed that the governor's staff had directed staff to discard all e-mails to Easley's office. Easley has denied Crane's claim.

The Governor maintains that the letter from Hooker Odom was "personal correspondence," not intended to be made public.

N. C. Press Association attorney John Bussian, an expert on public records law, says the Hooker Odom letter most definitely was a public record. "The legal status does not turn on whether somebody intended it to be public," Bussian told the AP. "If it did, then anybody could use that as a license to steal from the public what it is entitled to know."

By both state law and policy, governmental e-mails are public records as well. Policy does allow their deletion, except when their reference or administrative value ceases.

Whether electronic, analog or however they are created, records generated by and/or submitted to government in our state, belong to the people of North Carolina. Of all people, Gov. Mike Easley should know that, and he should remember it the next time he's inclined to "chunk." ☞